

A 88 (Rev. 11/91) Subpoena in a Civil Case

United States District Court

DISTRICT

OF

MASSACHUSETTS

FRANCIS X. MOORE,

SUBPOENA IN A CIVIL CASE

PLAINTIFF,

Case Number: 04-10922-DPW

v.

UNITED STATES OF AMERICA,

DEFENDANT.

Robert Gooch
TO: 295 West Third Street
 South Boston, MA 02127

☒ **YOU ARE COMMANDED** to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY United States District Court U.S. Courthouse 1 Courthouse Way Boston, MA 02210	COURTROOM: Judge Woodlock No. 1
	DATE AND TIME: 9:00 a.m. November 16, 2005

☐ **YOU ARE COMMANDED** to appear at the place, date, and time specified below at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME
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☐ **YOU ARE COMMANDED** to produce and permit inspection and copying of the following documents at the place, date, and time specified below

PLACE	DATE AND TIME
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☐ **YOU ARE COMMANDED** to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME
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Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)  (attorney for defendant)	DATE 10/7/05
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ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER Lydia Bottome Turanchik, Trial Attorney, Tax Division, Department of Justice, P. O. Box 55, Ben Franklin Station, Washington, D.C. 20044 – Telephone: (202) 307-6560

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UNITED STATES DISTRICT COURT

I hereby certify and return that on **November 4, 2005**, I completed making due and diligent search for the within named for Robert Gooch's last and usual abode, Agent or Attorney and that I have been unable to find either within my precinct. I therefore return this precept without service upon Robert Gooch.

Service was attempted as indicated below, at the address provided: 295 West Third Street, South Boston, MA 02127
Tuesday, October 11, 2005 at 2:40 PM - The witness' name was visible on a doorbell corresponding with the first-floor apartment. There was no answer. I rang the other bells, hoping to be able to speak with a neighbor who might know when the witness is normally home. I was able to interview a female neighbor, from an upstairs apartment, possibly the second floor. She declined to identify herself, but indicated that Mr. Gooch had recently had some type of orthopedic surgery and was currently an inpatient at a rehabilitation center. She claimed she didn't know which rehab facility he was in and she said she didn't know in which hospital the surgery was performed. When asked if anyone else lived with him, she turned to go back upstairs saying she knew nothing more.

I attempted to get a telephone number for the Gooch residence, planning to leave messages for someone to contact our office. However, Verizon Directory Assistance reported no listing for any Gooch at the above address and no listing in the 617 Area Code for either Robert or R. Gooch.

After waiting a couple of weeks, hoping that the witness had been discharged back home, Service was attempted at the above address on **Friday, October 28, 2005 at 8:30 PM**. There was no answer and the first-floor apartment was dark. Service was attempted again on **Saturday, October 29, 2005 at 8:00 AM**. Once again, there was no answer.

A final service attempt was made on **Friday, November 4, 2005 at 10:30 AM**. There was no answer, but I spoke with the upstairs neighbor once again. She claimed to have no more information than when we last spoke, but she did say that the witness never returned home and is still a patient in a rehabilitation center.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing information is true and correct. Executed on November 4, 2005.



Francis Davis, Constable, City of Boston
& Disinterested Person over Age 18.

Total:\$135.00

Butler and Witten
Boston, MA
(617) 325-6455